

ORDINANCE NO. 2004-08

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE CITY OF SEDONA LAND DEVELOPMENT CODE, ARTICLE 15 (HISTORIC PRESERVATION ORDINANCE), SECTION 1505 (HISTORIC PRESERVATION COMMISSION) BY AMENDING SECTION 1505.01 (MEMBERSHIP), AND SECTION 1505.02 (TERM OF OFFICE); AND PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES OR ANY PART OF THE LAND DEVELOPMENT CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA AS FOLLOWS:

Section 1. *Modifications to the Number and Qualifications of Members*

Section 1505.01.A is hereby amended as follows:

“A. The Historic Preservation Commission shall be composed of seven (7) members, five (5) of which shall be residents of the City of Sedona, and up to two (2) of which need not be residents of the City of Sedona, provided that the City Council finds at the time of their appointment that they have substantial ties within the corporate limits of the City, such as owning real property, owning a business, being employed within the City limits, or based on any other factors deemed relevant by the Council. The members of the Commission shall be appointed by the Mayor and Council.”

Section 2. *Modifications to the Term of Office*

Section 1505.02 is hereby amended as follows:

“Membership appointment to the Commission shall be for a period of three years. Terms shall be staggered so that no more than three members’ terms shall expire in any given year. All terms shall begin on December 1st and shall end on November 30th or until a successor is appointed and qualified.

In the event of a resignation, removal or death of a member, the Council shall fill the vacancy for the un-expired term.

The Council may remove any member of the Commission by a majority vote of the majority of the Council, or as otherwise provided by ordinance or the City Code.”

Section 3. *Repeal*

All ordinances or parts of ordinances or any part of the Land Development Code in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

Section 4. *Saving Clause*

If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof would be declared invalid or unconstitutional.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona, this 14th day of December, 2004.

Pud Colquitt, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney